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April 6, 2021

VIA ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk/Executive Director
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Docket 2020-247-A
Workshops Regarding the Public Service Commission's Formal Review of Its
Regulations Pursuant to S.C. Code Ann. Section 1-23-120(J)
Department of Consumer Affairs Comments on Electric and Gas Systems

Dear Ms. Boyd:

In accordance with the Commission notices provided in this docket, the Department of Consumer Affairs is submitting comments on S.C. Code Ann. Regs. 103-300 and 400 *et seq.* and notifying the Commission of its intent to participate in the April 16, 2021 workshop.

On February 9, 2021, the Department submitted comments on S.C. Code Ann. Regs. 103-800 *et seq.* and identified additional information that a utility should submit with its rate case applications. On March 9, 2021, the Department also submitted comments on S.C. Code Ann. Regs. 103-300 and 400 *et seq.* and discussed changes that should be made to utility bills, including adding ORS's contact information and revising font requirements to improve readability. We believe the recommendations in these letters are also applicable to the current review.

As you noted in the April 5th workshop, there are no specific application filing requirements in sections 300 and 400. Therefore, the Commission should make it clear that any changes in section 800 will apply to electric and gas utilities as appropriate. It is our understanding from prior workshops that is the Commission's intent at this time. Sections 103-339 and 103-439 include bill

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form requirements for electric and gas utilities, respectively. We believe our prior recommendations regarding bills can be incorporated into these sections.

Additionally, the Department has the following requests and comments based on its review of the current regulations.

103-330. Customer Information.

Part b of this section states a utility will provide new customers an explanation of available rates “within sixty days of application for service”.

❖ The Department requests the Commission shorten this time so that customers can begin to consider rate options as soon as possible.

103-341. Applications for Service.

Note- 103-441 contains identical language.

Part 3 of this section states a utility “shall be allowed a reasonable period of time” to discontinue service after the receipt of” a customer’s request to terminate service.

❖ The Department requests the Commission define or revise the subjective phrase “reasonable period of time” so that customers will not pay for further service unnecessarily or, alternatively, will have a better understanding of how long they may be required to pay for service after requesting to stop it.

103-342. Reasons for Denial or Discontinuance of Service.

Note- 103-442 contains similar language.

This section provides “a customer shall be allowed a reasonable time in which to correct any discrepancy which may cause discontinued service.” It also provides several examples of situations in which a utility may deny or discontinue service “without notice”.

❖ The Department requests the Commission define or revise the subjective phrase “reasonable time” so that customers will understand how long they have to correct issues before service is discontinued. We also believe notice should be provided before, or within a certain amount of time after, service is discontinued no matter the circumstances. The Department is concerned that an unexpected loss of service could have negative consequences (e.g., for the elderly, those with medical devices that require electricity, or during extreme heat/cold).

103-352. Procedures for Termination of Service.

Note- 103-452 contains similar language.

Part a of this section states a utility must provide notice by mail “Not less than ten (10) days prior to termination of service”. Part a.1 states that, included with the notice, the utility must provide the “Address, telephone number and working house of the person(s) to be contacted by the customer” to arrange payment.

❖ The Department requests the 10-day notice period be extended to require at least 30 days initial notice. The Department believes “house” in part a.1 should state “hours”.

Part 3.b states service to a special needs customer will not be terminated “during the months of December through March” if certain conditions are met. This part further provides the utility “shall advise the customer that he may wish to call the local social service agency to determine what public or private assistance may be available to him.”

❖ The Department requests the regulations be changed to also prevent service termination from June through September due to the potential for extreme heat during these months. The regulation should also require utilities to provide a list of local social service agencies that may be able to assist the customer or otherwise notify the customer to call 211.

Part 4 of this section also discusses numerous timeframes for providing certain notices of termination to customer, including:

b. Not more than two business days prior to termination of service, the electrical utility shall make reasonable efforts either by telephone or in person.... Alternatively, not more than three business days prior to termination of service, the electrical utility shall notify the customer by mail....

c. If a customer fails to conform to the terms and conditions of such deferred payment plan, the electrical utility may terminate service upon three days written notice, if personally delivered, or upon five days notice by mail.

❖ The Department requests the Commission extend these timeframes to allow more time for a customer to arrange payment or alternative housing before service is terminated. The regulations should also be revised to allow for electronic communications or text messages if the customer so requests.

Part d again states the utility “shall advise the customer that he may wish to call the local social service agency to determine what public or private assistance may be available...”

❖ As noted above, the regulation should also require utilities to provide a list of local social service agencies that may be able to assist the customer or otherwise notify the customer to call 211.

Part g states a utility representative who is sent to terminate service must be able to accept payment, except that “in certain areas where it has been determined by the electrical utility that the safety of its employees warrants it, those employees shall not be required to accept payments from customers subject to termination.”

❖ The Department believes this regulation should be revised to inform customers if they live in such a designated area and to specify how payment may be made in that event.

The Department appreciates the opportunity to provide comments in this matter. We look forward to the scheduled workshop and further discussing these important issues with the Commission, utilities, and other interested parties.

Regards,

A handwritten signature in blue ink, appearing to read "Roger Hall", is positioned above the printed name.

Roger Hall, Esq.

Deputy Consumer Advocate